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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/694,402	10/22/2000	John Thaddeus Pienkos		9105

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EXAMINER

KOPPIKAR, VIVEK D

ART UNIT	PAPER NUMBER
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3626

DATE MAILED: 04/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/694,402

**Applicant(s)**

PIENKOS, JOHN THADDEUS

**Examiner**

Vivek D Koppikar

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Status of Application*

1. This communication is in response to the application received on October 22, 2000. The Information Disclosure Statement filed by the applicants on January 26, 2001 has been acknowledged by the examiner. Claims 1-20 are pending in this application and have been examined.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claim 1-5, 8-11, and 13-20 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent Application Publication 2002/0022976 A1 to Hartigan.

Hartigan is directed towards a method and system for providing online insurance information.

As per claim 1, which is directed towards a method of providing insurance coverage to a customer, Hartigan teaches a step of providing a field for an input of a limitation relating to a desired coverage, the limitation including at least one of a desired time period indication (inception and expiration) of a time period less than a month and a geographical region indication of a geographical region smaller in size than an entire nation (Figures 30-31 and Section [0012]). The entered information is received at a central processor (database) is processed in relation to the limitation to determine whether the desired insurance coverage as restricted by the limitation can be provided and a confirm (in the form of a display) concerning whether the desired insurance coverage corresponding to the limitation can be provided is sent to the user (agent) (Sections [0012]-[0014]).

As per claim 2, Hartigan teaches the steps of receiving an initial inquiry from a customer (Section [0012]), providing an input form including at least one field for an entry of a piece of information concerning at least one of a characteristic of the customer and a characteristic of an item to be insured (Section [0012]-Section [0014], Figure 31 and Figure 34), receiving the piece of information following its entry into the input form and submission (Section [0012]-Section [0014]) , performing processing in relation to the piece of information (Section [0012]-Section [0014]) , providing a preliminary indication that the customer will have an ability to order at least one of temporally-limited amounts of insurance and geographically-limited amounts of insurance (Section [0012]-Section [0014]) and providing an identifier to the customer (Section [0099]).

As per claim 3, Hartigan teaches a means wherein the limitation is the time period indication, and the limitation is specified by the input of a start time (inception) at which the

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desired insurance coverage should begin, and a finish time at which the desired coverage should end (expiration) (Figure 31).

As per claim 4, Hartigan teaches the steps of providing a field for an input of an identifier indicative of an identity of the customer and the step of receiving the identifier (Section [0097] and Section [0102]).

As per claim 5, Hartigan teaches the step wherein the identifier, the start time and the finish time are received by a server computer, and at least one of the identifier, the start time and the finish time originates at a client computer that is coupled by way of the Internet to the server computer (Figures 31 and 34, Sections [0102], [0012] and [0014]).

As per claim 8, Hartigan teaches the step of receiving credit card information from the customer (Section [0128]).

As per claims 9 and 10, in Hartigan the insurance coverage relates to an automobile (Figure 33).

As per claim 11, in Hartigan the insurance coverage relations to a marine (Figure 33).

As per claim 13, in Hartigan there is a means wherein the input of the geographic indication occurs by receiving at least one selection of a geographical region from a list of possible geographic regions (states) (Figure 33).

As per claim 14, which is directed towards a computer-readable storage medium containing computer executable code for instructing a computer, Hartigan teaches a means of receiving an initial inquiry from a customer (Section [0012]-Sections [0014]), receiving customer information following entry of the customer information into an input form (Section [0012]-Section [0014]) and providing a preliminary indication that the customer will have an

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ability to order at least one of temporally-limited amounts of insurance and geographically-limited amounts of insurance (Section [0014] and Figures 31 and 33).

Hartigan teaches a feature wherein a user can register and subsequently log-in a later time (Sections [0133]-[0134]).

The user can enter specifications on the time and geographic locations (limits) of an insurance policy. The geographical limits specify a geographical region smaller in size than an entire nation (states) and the user can also enter in a desired duration of the insurance coverage (inception and expiration times) (Figures 33 and 34). The system then determines whether the desired insurance coverage within the user-specified limits can be provided (Section [0014]).

As per claim 15, which is directed towards a computer system for arranging limited amounts of insurance coverage, Hartigan teaches a server computer capable of hosting an insurance provider website being coupled to the Internet for providing a user interface, sending data in the form of web pages over the Internet to at least one client, and receiving data provided at the at least one client computer by a user by way of the user interface (Figures 1, 16, 31, 33 and 34 and Sections [0012]-[0014]).

As per claim 16, a first web page in Hartigan includes a first input form having a first field of entry of a start time and a second field for entry of a finish time (inception and expiration times) (Figure 31), and a second web page includes a second input form having a third field for entry of a geographical region including at least one of a country and a state (Figure 33),

As per claim 17, in Hartigan the server computer includes a memory in which information concerning an initial arrangement between a user and an insurance company is

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stored, the information including at least one of the user's name and the user's mailing address (Figure 30).

As per claim 18, in Hartigan the user interface includes input controls whereby a user selects criteria and a display whereby results are displayed (Figures 13 and 15), wherein the input controls include a set of selectable menu items including at least one of a list of possible temporal limitations concerning possible time periods for insurance coverage, and a list of possible geographic limitations concerning possible regions for insurance coverage (Figures 13 and 33) and the display provides, in response to the specifying of a temporal limitation, a first confirmation when the server computer determines that insurance coverage can be provided during the time period corresponding to the temporal limitation, a first confirmation when the server computer determines that insurance coverage can be provided during the time period corresponding to the temporal limitation and whereby the display provides, in response to the specifying of a geographic limitation, a second confirmation when the server computer determines that insurance coverage can be provided within the region corresponding to the geographic limitation (Sections [0012]-[0014]).

As per claim 19, in Hartigan the user interface includes an input means in which a new customer can specify information that is utilized to determine whether the new customer is eligible for obtaining insurance coverage of a particular type and wherein, upon the providing of the information by way of the input means, the user interface displays results that include an indication of whether the new customer is eligible for obtaining insurance coverage of the particular type (Section [0014]).

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As per claim 20, in Hartigan there is a means wherein upon a determination that the new customer is eligible for obtaining insurance coverage of the particular type, the results that are displayed include an identification code including at least one of a username and a password and wherein, upon entry of the identification code by way of the user interface, the new customer is able to input at least one of the temporal and the geographic limitation (Figures 31, 33 and 34 and Sections [0133]-[0134]).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hartigan as applied to Claims 3 and 1 above, respectively, and in further view of US Patent Number 6,380,953 to Mizuno.

Hartigan fails to teach a means of selecting a time period such that the time period is measured with respect to the start and/or finish time. Hartigan also fails to teach a means for selecting a single day. These features are well-known in the art as evidenced by Mizuno which teaches a means for defining a time period in terms of a start and/or finish time and also a means for selecting a day (Sunday) as a time period (Figure 3; Col. 3, Ln. 28-41 and Col. 5, Ln. 43-50).

At the time of the invention, one of ordinary skill in the art would have been motivated to add a means of defining a time period with respect to the start and/or a finish time and a means



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of selecting a single day as a time period in order provide a display with improved scroll operability upon displaying information as recited in Mizuno (Col. 1, Ln. 64-67).

6. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hartigan as applied to Claim 1 and in further view of US Patent Number 5,990,886 to Serdy.

Hartigan fails to teach a means wherein the input of the geographical region indication occurs by providing at least one map and receiving a demarcation indication which indicates a specific region on the map; however, this feature is well-known in the art as evidenced by Serdy (Figures 4-6 and Col. 1, Ln. 25-64). At the time of the invention, one of ordinary skill in the art would have been motivated to add this feature to the system taught in Hartigan in order to enable a user to quickly input a geographic region without having to type the name of the geographic region as recited in Serdy (Serdy, Col. 1, Ln. 27-37).

#### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent Number 6,064,970 is directed towards a system for monitoring the cost of motor vehicle insurance.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Vivek Koppikar** whose telephone number is **(703) 305-5356**. The examiner can normally be reached on Monday-Friday from 8 AM to 5 PM, Eastern Time.

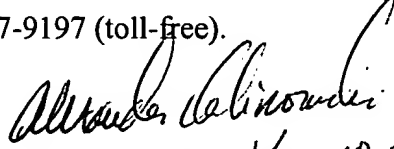
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas, can be reached at (703) 305-9588. The fax phone number for the organization where this application or proceeding is assigned are (703) 872-9306.

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9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Vivek Koppikar

4/19/04

  
Alexander Calinowski  
Primary Examiner  
Art 3626